

JACK W. LEE (CSB #071626)
JENNIFER L. BRILL (CSB #158059)
MINAMI TAMAKI, LLP
360 Post Street, 8th Floor
San Francisco, CA 94108
Tel. (415) 788-9000
Fax (415) 398-3887
Email: jlee@MinamiTamaki.com
Email: jbrill@MinamiTamaki.com

Attorneys for Plaintiff

E-filing

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MMC

TEYMOUR HOSSEIN-ALI FARMAN-
FARMAIAN,

Plaintiff,

vs.

MICHAEL CHERTOFF, in his official
capacity as Secretary of the U.S.
Department of Homeland Security;
EMILIO T. GONZALES, in his official
capacity as Director of U.S. Citizenship and
Immigration Services; MICHAEL B.
MUKASEY, in his official capacity as
Attorney General of the United States;
ROSEMARY MELVILLE, in her official
capacity as District Director of United States
Citizenship Field Office of San Francisco;
and ROBERT MUELLER, in his official
capacity as Director of the Federal Bureau
of Investigation,

Defendants.

Case No.

CV 08

1948

PLAINTIFF'S COMPLAINT FOR
WRIT IN THE NATURE OF
MANDAMUS

1 Plaintiff, Teymour Hossein-Ali Farman-Farmaian, by and through his undersigned counsel,
2 sues Defendants and states as follows:

3 1. This action is brought against the Defendants to compel action on his application for
4 Naturalization properly filed by the Plaintiff. The application was filed and remains within the
5 jurisdiction of the Defendants, who have improperly withheld action on this application to
6 Plaintiff's detriment.

7 **PARTIES**

8 2. Plaintiff Teymour Hossein-Ali Farman-Farmaian (Alien Registration No. 079-719-
9 492) was born in Iran, and is a Dutch citizen. He has been a United States legal permanent resident
10 since January 21, 2004. He filed an application for naturalization (Form N-400) on January 17,
11 2007 with USCIS and seeks to naturalize pursuant to Immigration and Nationality Act ("INA")
12 §319, 8 U.S.C. §1430. His naturalization application has not been adjudicated. Plaintiff has a
13 Master's in Business Administration degree from the Harvard Business School, and a Bachelor of
14 Arts degree in Economics from Duke University. Plaintiff is currently employed at Google in
15 Mountain View, California, as (Senior) Director, Sales Services, Distribution, Syndication &
16 Content Acquisition. He is married to a United States citizen, and has United States citizen
17 children, aged 4, 2, and 1.

18 3. Defendant Michael B. Mukasey is the Attorney General of the United States, and as
19 such, is the head of the United States Department of Justice and the chief law enforcement officer
20 of the federal government. The Attorney General has the authority to naturalize persons as citizens
21 of the United States. 8 U.S.C. §1421(a). The Attorney General is also ultimately responsible for
22 the Federal Bureau of Investigation, a subdivision of the Justice Department. Mr. Mukasey is sued
23 here in his official capacity.

24 4. Defendant Michael Chertoff is the Secretary of the Department of Homeland
25 Security (hereinafter "DHS"), and this action is brought against him in his official capacity. He is
26 generally charged with enforcement of the Immigration and Nationality Act, and is further
27 authorized to delegate such powers and authority to subordinate employees of the DHS. 8 U.S.C.
28 §1103(a); 8 C.F.R. §2.1.

7. Defendant Robert S. Mueller, III, is Director of the Federal Bureau of Investigations (hereinafter “FBI”), the law enforcement agency that conducts security clearances for other U.S. government agencies, such as the Department of State. As it will be shown, Defendant has failed to complete the security clearances on Plaintiff’s case, hence causing delay in Plaintiff’s application for naturalization.

8. Jurisdiction is proper in this court, pursuant to 28 USC §1331 and 1361 (The Mandamus Act), 5 USC §701, *et seq.* (The Administrative Procedures Act), and 28 USC §2201 *et seq.* Relief is requested pursuant to these statutes to redress the deprivation of rights, privileges and immunities secured to Plaintiff and to compel defendants to perform a duty defendants owe to Plaintiff.

9. Venue is proper in this Court, pursuant to 28 USC §1391(e), in that this is an action against officers and agencies of the United States in their official capacities, brought in the District where the Plaintiff resides if no real property is involved in the action. Specifically, Plaintiff resides in the County of San Mateo, and no real property is involved in the instant action.

10. Plaintiff has exhausted his administrative remedies.

CAUSE OF ACTION

11. Plaintiff Teymour Farman-Farmaian was born in Iran on November 15, 1966, and is a Dutch citizen. He married a United States citizen on January 4, 2002, and became a legal permanent resident of the United States in January 21, 2004.

12. Plaintiff Teymour Farman-Farmaian filed his application for Naturalization (N-400) at the California Service Center on January 17, 2007. (See **Exhibit 1, copy of receipt notice for N-400.**)

13. On February 13, 2007, Plaintiff appeared at a scheduled appointment to have his fingerprints taken. (See **Exhibit 2, copy of fingerprint appointment notice.**) Since that date, no action has been taken on his application. Plaintiff has not been interviewed in connection with his case.

14. On November 27, 2007, Plaintiff's counsel inquired with the San Francisco District Office about the status of his case via facsimile and telephone indicating that the USCIS is outside of published processing times for these types of applications. (See **Exhibit 3, copy of inquiry fax.**)

15. On December 4, 2007, Plaintiff's counsel called the USCIS 1-800 number to inquire about the status of Plaintiff's case. The officer stated no further inquiries should be made on this application until January 20, 2008, and that the USCIS was "not outside of processing times".

16. On December 10, 2007, Plaintiff's counsel received a letter dated December 3, 2007 from the San Francisco District Office stating that the application would not be scheduled for an examination until all background security checks had been cleared. (See **Exhibit 4, copy of letter from USCIS, dated December 3, 2007.**)

17. On December 11, 2007, Plaintiff's counsel received a phone call from Supervising Officer Liza Agregado from the USCIS San Francisco District Office indicating that they had sent a letter, and that Plaintiff's case was being held for background security checks.

18. On December 15, Plaintiff's counsel received another letter from the USCIS California Service Center dated December 12, 2007, indicating that the case is being held for background checks. (See **Exhibit 5, copy of letter from USCIS, dated December 12, 2007.**)

19. On January 11, 2008, Plaintiff sent Freedom of Information Act Requests ("FOIA")

1 to the FBI and Customs and Border Patrol (hereafter "CBP"), and received a response dated March
2 3, 2008 indicating that there are no records in this matter. (See **Exhibit 6, FOIA Request**
3 **Response letter from FBI**). Plaintiff has not received a response from either the FBI or the CBP.

4 20. On December 27, 2007, Plaintiff submitted a request to the State of California
5 Attorney General's office to inquire whether any criminal records existed for him. On January 3,
6 2008, he received a response indicating that no criminal records were found pertaining to him.
7 (See **Exhibit 7, letter from the State of California, Department of Justice, dated January 3,**
8 **2008.**)

9 21. On January 9, 2008, Plaintiff submitted a request to the FBI to inquire whether any
10 criminal records existed for him. On January 16, 2008, Plaintiff received a response from the FBI
11 indicating that the FBI has no arrest record of Plaintiff. This implies that he has no criminal
12 record. (See **Exhibit 8, copy of fingerprint card, and stamp on back indicating no record from**
13 **FBI, dated January 16, 2008.**)

14 22. On January 18, 2008, Plaintiff's counsel sent a Freedom of Information Act Request
15 to the USCIS concerning Plaintiff's immigration matters. On February 5, 2008, Plaintiff's counsel
16 received a response to the FOIA request from the USCIS that indicated that the request was
17 considered a "Complex Track" matter, and as such would take more time. (See **Exhibit 9, copy of**
18 **letter from USCIS dated February 5, 2008.**)

19 23. On February 11, 2008, Plaintiff's counsel sent a letter to Ms. Rosemary Melville,
20 District Director of San Francisco District USCIS office, inquiring into the status of this case and
21 informing her that if no response was received within thirty days, Mr. Teymour Farman-Farmaian
22 would file this action. Counsel received a standard response that Plaintiff's case was still pending
23 due to name checks. (See **Exhibit 10, copy of Letter to District Director.**)

24 24. Based on the responses from USCIS and the FBI, Plaintiff believes that his
25 naturalization application has not been adjudicated because of Defendant FBI's failure to complete
26 his name check. At this time, the FBI name check appears to be the only reason for the delay of
27 Plaintiff's Naturalization application as Plaintiff does not have a criminal record and there appears
28 to be no other reason why his application has been delayed. (See **Exhibit 7 & 8, letters from**

1 California Department of Justice confirming no criminal history record was found; copy of
2 fingerprint card sent to FBI confirming no record.)

3 25. According to the USCIS processing dates, the San Francisco District Office is
4 currently processing N-400 naturalization applications filed on or before July 20, 2007. Plaintiff's
5 N-400 application has now remained pending since January 17, 2007, more than 15 months since
6 the date of filing. (See Exhibit 11, San Francisco District Office Processing Dates posted on
7 February 15, 2008.)

8 26. Defendants' refusal to act on this application is, as a matter of law, arbitrary and not
9 in accordance with the law. Defendants unreasonably have delayed in and have refused to
10 adjudicate Plaintiff's Naturalization application for over a year, from the date of filing, thereby
11 depriving him of the right to a decision on his application and the peace of mind to which Plaintiff
12 is entitled.

13 27. Plaintiff has been damaged economically by the failure of Defendants to act in
14 accord with their duties under the law.

15 a. Plaintiff has a keen interest and is adept in international business, as he
16 speaks French, Spanish, Italian, Farsi and Portuguese, and his Harvard MBA studies. Since
17 receiving his MBA in 1995, Plaintiff's career has principally been focused in international
18 business and sales, until 2006 when he changed his career due to difficulties with traveling
19 abroad as a non-U.S. citizen. He has worked in various capacities for businesses throughout
20 the world, including India, Venezuela, United Kingdom, Latin America, and in various
21 locations in the United States. Specifically, most recently, Plaintiff worked from July 2003
22 through April 2005 as Google Inc.'s Director, International Advertising Operations
23 (Europe) where he led sales operations across 12 European offices serving Google's largest
24 clients. From May 2005 through July 2006, he was Google's Director, Sales Operations,
25 Asia Pacific & Latin America. Both these positions required frequent travel in and out of
26 the United States. Consistently, when Plaintiff would return to the United States in the San
27 Francisco or New York airports, CBP pulled Plaintiff aside, and held him in a closed room
28 where he was not allowed to make any phone calls or leave the room. He was told to wait,

1 and was asked questions. Typically, these holds would take 1-2 hours, and was a great
2 inconvenience to Plaintiff who was jet-lagged after his long international travels, and
3 needed to rush to make a business meeting or to get home to his family. Because Plaintiff
4 was often held up unexpectedly for hours at a time in airports by the United States
5 government, Plaintiff changed his international position within Google, Inc. to a position
6 that did not require international foreign travel. In doing so, Plaintiff's skills and
7 professional career options and opportunities have been severely limited because of his
8 inability to travel abroad without frequent unexpected long delays in the airport. Once
9 Plaintiff obtains his U.S. Citizenship, his right to travel abroad will be less burdensome,
10 disruptive and time-consuming, and he can once again return to his true occupation in
11 international business.

12 b. Plaintiff has been further damaged in that he is unable to obtain the rights
13 and privileges enjoyed as citizens of the United States such as applying for, and receiving
14 business-related benefits reserved for United States citizens (such as federal small business
15 loans), the right to vote, serving on juries, participating as United States citizens in the Visa
16 Waiver Program, traveling abroad and returning to the United States without fear of
17 exclusion, and enjoying all other rights and responsibilities of U.S. citizenship.

18 28. The Defendants, in violation of the Administrative Procedures Act, 5 USC §701 *et*
19 *seq.*, are unlawfully withholding or unreasonably delaying action on Plaintiff's Naturalization
20 Application and have failed to carry out the adjudicative functions delegated to them by law with
21 regard to Plaintiff's case.

22 //

23 //

24 //

25 //

26 //

27 //

28 //

PRAYER

WHEREFORE, in view of the arguments and authority noted herein, Plaintiff respectfully prays that the Defendants be cited to appear herein and that, upon due consideration, the Court enter an order:

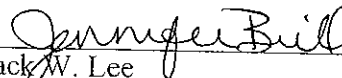
- a. requiring Defendants to expeditiously complete the Security Check on Plaintiff's application for Naturalization;
- b. requiring USCIS to process the Naturalization application to conclusion;
- c. awarding Plaintiff reasonable attorney's fees under the Equal Access to Justice Act;
- d. granting such other relief at law and in equity as justice may require.

Dated this 2nd day of April, 2008

Respectfully submitted,

MINAMI TAMAKI LLP

By:


Jack W. Lee
Jennifer Brill

Attorneys for Plaintiff

LIST OF EXHIBITS

1. Copy of receipt notice for N-400;
2. Copy of fingerprint notice;
3. Copy of Fax to USCIS inquiring about case;
4. Letter from the USCIS dated December 3, 2007 stating case pending due to background security check hold;
5. Letter from USCIS dated December 12, 2007, stating case held due to pending background investigation;
6. Letter from FBI dated March 3, 2008 indicating that there were no records in response to FOIA request;
7. Copy of letter from California Department of Justice dated January 3, 2008, confirming that Plaintiff does not have a California criminal history record with the Department of Justice;
8. Copy of fingerprint card from FBI dated January 16, 2008 confirming no arrest record;
9. Copy of USCIS letter dated February 5, 2008 responsive to FOIA inquiry, indicating cannot provide a response to inquiry yet;
10. Copy of Letter to District Director dated February 11, 2008 to USCIS District Director notifying her of Mandamus filing in 30 days and response to the letter;
11. San Francisco District processing dates report, posted February 15, 2008, downloaded March 19, 2008.

Exhibit 1

Receipt with Exception

CASE TYPE

N400 Application For Naturalization

NOTICE DATE

January 25, 2007

USCIS A#

A 079 719 492

APPLICATION NUMBER

WSC*001676054

RECEIVED DATE

January 17, 2007

PRIORITY DATE

January 17, 2007

PAGE

1 of 1

APPLICANT NAME AND MAILING ADDRESS

TEYMOUR HOSSEIN ALI FARMAN FARMAIAN

c/o LINDA WON CHUNG

MINAMI TAMAKI LLP

333 W CAMINO REAL STE 350

SUNNYVALE CA 94087

PAYMENT INFORMATION:

Single Application Fee: \$400.00

Total Amount Received: \$400.00

Total Balance Due: \$0.00

llllllllllllllllll

The above application has been received by our office and is in process, but has been noted with one or more of the following exception(s):

Missing Evidence(s) - your application was missing evidence(s) that you will need to provide at the time of your naturalization interview. You will be notified under separate notice of the necessary evidence(s) that you will be required to bring to your interview. Do not submit any evidence(s) by mail.

Our records indicate your personal information is as follows:

Date of Birth: November 15, 1966

Address Where You Live: 6 BOLTON PL
MENLO PARK CA 94025

Please verify your personal information listed above and immediately notify our office at the address or phone number listed below if there are any changes.

You will be notified of the date and place of your interview when you have been scheduled by the local USCIS office. You should expect to be notified within 460 days of this notice.

IMPORTANT NOTICE:

All naturalization applicants who were between the ages of 14-75 at the time of filing must have their fingerprints taken at a USCIS Application Support Center (ASC) so they can be submitted to the Federal Bureau of Investigation for a criminal history check. If we received your application without a fingerprint card (FD-258), or your fingerprint card was received on or after December 3, 1997, you will need to go to an ASC to be fingerprinted. Do not have your fingerprints taken anywhere else. You will receive a notice that will provide you with information about when and where to go to have your fingerprints taken, and what you will need to bring with you. Please inform the office listed below immediately of any address changes.

If you have any questions or comments regarding this notice or the status of your case, please contact our office at the below address or customer service number. You will be notified separately about any other cases you may have filed.

If you have other questions about possible immigration benefits and services, filing information, or USCIS forms, please call the USCIS National Customer Service Center (NCSC) at 1-800-375-5283. If you are hearing impaired, please call the NCSC TDD at 1-800-767-1833.

If you have access to the Internet, you can also visit USCIS at www.uscis.gov. Here you can find valuable information about forms and filing instructions, and about general immigration services and benefits. At present, this site does not provide case status information.

USCIS Office Address:

U.S. CITIZENSHIP AND IMMIGRATION SERVICES

CALIFORNIA SERVICE CENTER

P.O BOX 10400

LAGUNA NIGUEL CA 92607-

USCIS Customer Service Number:

(800) 375-5283

REPRESENTATIVE COPY

WSC\$001787700



Exhibit 2

Fingerprint Notification

CASE TYPE

N400 Application For Naturalization

NOTICE DATE

January 25, 2007

APPLICATION NUMBER

WSC*001676054

RECEIVED DATE

January 17, 2007

PRIORITY DATE

January 17, 2007

USCIS A#

A 079 719 492

PAGE

1 of 1

APPLICANT NAME AND MAILING ADDRESS

TEYMOUR HOSSEIN ALI FARMAN FARMAIAN
c/o LINDA WON CHUNG
MINAMI TAMAKI LLP
333 W CAMINO REAL STE 350
SUNNYVALE CA 94087



llllllllllllllllllll

To process your application, USCIS must take your fingerprints and have them cleared by the FBI. PLEASE APPEAR AT THE BELOW APPLICATION SUPPORT CENTER AT THE DATE AND TIME SPECIFIED. If you are unable to do so, complete the bottom of this notice and return the entire original notice to the address below. RESCHEDULING YOUR APPOINTMENT WILL DELAY YOUR APPLICATION. IF YOU FAIL TO APPEAR AS SCHEDULED BELOW OR FAIL TO REQUEST RESCHEDULING, YOUR APPLICATION WILL BE CONSIDERED ABANDONED.

APPLICATION SUPPORT CENTER

CIS SAN FRANCISCO
250 BROADWAY STREET
SAN FRANCISCO CA 94111

DATE AND TIME OF APPOINTMENT

02/13/2007
03:00 PM

WHEN YOU GO TO THE APPLICATION SUPPORT CENTER TO HAVE YOUR FINGERPRINTS TAKEN, YOU MUST BRING:

1. THIS APPOINTMENT NOTICE and
2. PHOTO IDENTIFICATION. Naturalization applicants must bring their Alien Registration Card. All other applicants must bring a passport, driver's license, national ID, military ID, or State-issued photo ID. If you appear without proper identification, you will not be fingerprinted.

PLEASE DISREGARD THIS NOTICE IF YOUR APPLICATION HAS ALREADY BEEN GRANTED.

REQUEST FOR RESCHEDULING

Please reschedule my appointment for the next available: ☐ Wednesday afternoon ☐ Saturday afternoon

USCIS cannot guarantee the day preferred, but will do so to the extent possible.

Upon receipt of your request, you will be provided a new appointment notice. Please mail your request to:

CIS SAN FRANCISCO
250 BROADWAY STREET
SAN FRANCISCO CA 94111

If you have any questions regarding this notice, please call 1-800-375-5283.

APPLICATION NUMBER

WSC*001676054

REPRESENTATIVE COPY



WARNING!

Due to limited seating availability in our lobby areas, only persons who are necessary to assist with transportation or completing the fingerprint worksheet should accompany you.

Exhibit 3

FACSIMILE TRANSMISSION SHEET

Date: November 29, 2007

Please forward immediately to: Liza Agregado

Facsimile Number: (415) 844-5693

From: Lynda Won-Chung, Esq./Jennifer L. Brill, Esq.

Reference: Mr. Teymour Hossein Ali Farman-Farmaian, N-400
Application (A#079-719-492)

Receipt File Number: WSC-001676054

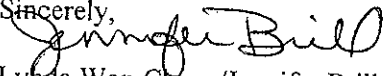
Total number of pages (including this page): 1

If pages are missing or illegible, or any other transmission problems occur, please call
(415) 788-9000, x. 122.

This facsimile, including any attachments, is sent by a law firm and may contain information that is privileged or confidential. If you are not the intended recipient, please destroy this facimile and any copies that you may have made and notify us immediately by return phone call. Thank you.

This law firm represents Mr. Teymour Hossein Ali Farman-Farmaian (A#079-719-492) in his naturalization application (WSC-001676054) filed 1/21/2007; a G-28 is on file. Biometrics was taken on 2/13/2007. The SF District Office website indicates that current processing time for N-400 is 7 months. It has been 10 months since we filed the application.

We would appreciate it if you would schedule Mr. Farman-Farmaian for his Naturalization interview as soon as possible. Please call me at 415-788-9000 x. 122 to further discuss. Thank you in advance for your kind assistance in this matter.

Sincerely,

Lynda Won-Chung/Jennifer Brill, Esq.

San Francisco office 360 Post Street, 8th floor San Francisco, CA 94108

Sunnyvale office 333 W. El Camino Real Suite 350 Sunnyvale, CA 94087

Phone: 415 788 9000 Fax: 415 398 3887

Phone: 408 739 1137 Fax: 408 739 4641

www.minamitamaki.com

Exhibit 4



U.S. Citizenship
and Immigration
Services

TEYMOUR FARMAN FARMAIAN
C/O MINAMI TAMAKI LLP
333 W. EL CAMINO REAL, STE 350
SUNNYVALE, CA 94087

File No. 79 719 492

App Id:

Date: December 3, 2007

Officer:

Re: N-400 application
TEYMOUR FARMAN FARMAIAN

This is in response to your recent inquiry. A review of our databases shows that you filed Form N-400, Application for Naturalization. Your application will not be scheduled for an examination until all background security checks have cleared. All cases awaiting security clearances are regularly checked and those cases that have completed all required background checks will be scheduled for an interview within 60 days.

We apologize for the delay and request your cooperation and patience in waiting for these important checks to be completed. Please refer to the attached Immigration Fact Sheet for additional information on the importance of security background checks.

Any future inquiries for cases pending outside normal processing times should be directed to the National Customer Service Center at 1-800-375-5283.

Thank you.

U.S. Citizenship and Immigration Services
630 Sansome Street
San Francisco CA 94111

Exhibit 5

**U.S. Citizenship
and Immigration
Services**

Date: December 12, 2007

Teymour Farman Farmaian
C/O Minami Tamaki LLP
333 W Camino Real STE 350
Sunnyvale, CA 94087

Re: A 79719492 – Naturalization Status Inquiry

Dear Applicant:

In your inquiry with USCIS, you requested the status of your pending N-400 Application for Naturalization. We have not scheduled you for an interview because your background investigation is still pending. Until the background investigation is completed, we cannot move forward on your case. These background checks are required to be completed on all applicants who apply for the immigration benefit you are seeking. Once your background check is completed your local District Office will be scheduling your case for interview. There is no way for us to estimate the duration of your background investigation because it is not conducted by our agency. Although the average processing time for the investigations is a few months, the range in duration is a few weeks to several years.

Thank you very much for your cooperation.

Please call the National Customer Service Center toll free number at 1- (800) 375-5283 or visit our website at: <http://www.USCIS.GOV> for additional information. Thank you.

Exhibit 6



Federal Bureau of Investigation

Washington, D.C. 20535

March 3, 2008

MR TEYMOUR HOSSEIN-ALI FARMAN-FARMAIAN
6 BOLTON PLACE
MENLO PARK, CA 94025

Request No.: 1106733- 000
Subject: FARMAN-FARMAIAN, TEYMOUR HOSSEIN-ALI

Dear Requester:

This is in response to your Freedom of Information-Privacy Acts (FOIPA) request noted above.

To promptly respond to requests, we concentrate on identifying main files in the central records system at FBI Headquarters. No records responsive to your FOIPA request were located by a search of the automated indices.

You may file an administrative appeal by writing to the Director, Office of Information and Privacy, United States Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, D.C. 20530-0001, within sixty days from the date of this letter. The envelope and the letter should be clearly marked "Freedom of Information Appeal" or "Information Appeal." Please cite the FOIPA number assigned to your request so that it may be easily identified.

Enclosed for your information is a copy of the FBI File Fact Sheet.

Sincerely yours,

A handwritten signature in black ink, appearing to read "D. Hardy", followed by a stylized flourish or date "3/16/08".

David M. Hardy
Section Chief,
Record/Information
Dissemination Section
Records Management Division

Enclosure

Exhibit 7

Edmund G. Brown Jr.
Attorney General

State of California
DEPARTMENT OF JUSTICE



BUREAU OF CRIMINAL IDENTIFICATION AND INFORMATION

P.O. Box 903417
SACRAMENTO, CA 94203-4170

January 03, 2008

TEYMOUR H FARMANFARMAIAN
6 BOLTON PLACE
MENLO PARK, CA 94025-0000

RE: California Criminal History Information

Dear Applicant:

This is in response to your inquiry concerning the existence of a California criminal history record within the files of the Department of Justice's Bureau of Criminal Identification and Information. As of the date of this letter, a search of your fingerprints did not identify with any criminal history record maintained by this Bureau as provided by the California Penal Code Sections 11120-11127.

Pursuant to California Penal Code section 11121, the purpose of a record review request is to afford an individual with a copy of their record and to refute any erroneous or inaccurate information contained therein. The intent is not to be used for licensing, certification or employment purposes.

Additionally, California Penal Code sections 11125, 11142, and 11143 does not allow for a person or agency to make a request to another person to provide them with a copy of an individual's criminal history or notification that a record does not exist; does not allow an authorized person to furnish the record to an unauthorized person; nor does it allow an unauthorized person to buy, receive or possess the record or information. A violation of these section codes is a misdemeanor.

Sincerely,

A handwritten signature in cursive script that reads "Robert Santos".

ROBERT SANTOS, Assistant Manager
Record Support Section
Bureau of Criminal Identification and Information

For EDMUND G. BROWN JR.
Attorney General

Exhibit 8

1-689* (Rev. 10-1-97)

FEDERAL BUREAU OF INVESTIGATION
Criminal Justice Information Services Division
CLARKSBURG, W.V. 26306

Please note the stamp on the back of the enclosed
fingerprint card indicating the results of the search of the FBI
Criminal Justice Information Services Division's files.

Enclosure(s)

**Identification and Investigative
Services Section**

JAN 16 2008 4 22 8

APPLICANT

LEAVE BLANK

Signature

DATE OF PRINT ALL INFORMATION IN BLOCK
 LAST NAME ARMAN FIRST NAME ARMAN MIDDLE NAME TEHMEINE ROSS ET AL
 ALIASES AKA

ERI

LEAVE BLANK

10/3/2008 *illegible*

GOOGLE, INC.

168 ~~AM~~ THEATRE ROAD
 MOUNTAIN VIEW, CA 94043

2000011722-10-01

ARMAN

DC000000Z
 CJIS-WV-DO-REQ
 CLARKSBURG, WV

DATE OF BIRTH 6.00 1974 ARMAN ARMAN TEHMEINE ARMAN

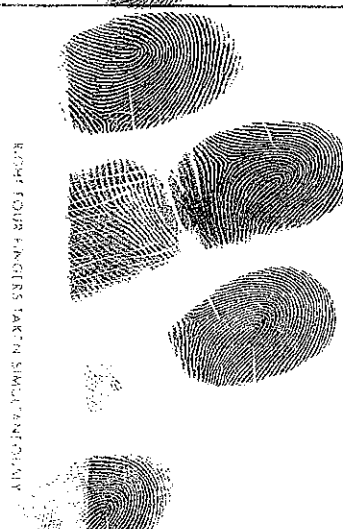
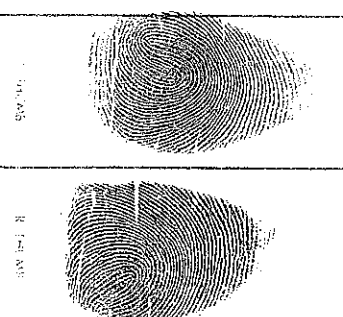
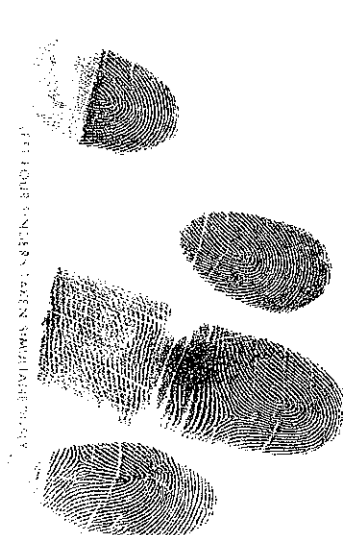
LEAVE BLANK

DATE OF PRINT ALL INFORMATION IN BLOCK

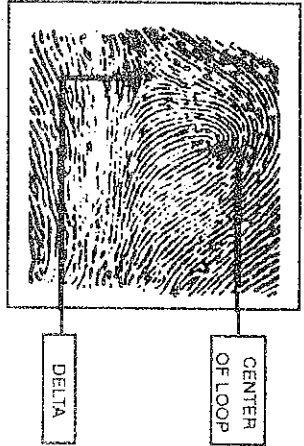
DATE

ERI

LEAVE BLANK

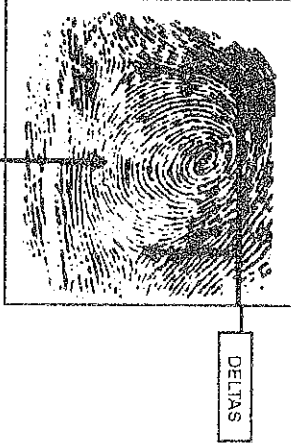


1. LOOP



THE LINES BETWEEN CENTER OF LOOP AND DELTA MUST SHOW

2. WHORL



3. ARCH



ARCHES HAVE NO DELTAS

★ U.S. GPO: 2001 483-800/2-02321
FD-258 (REV. 5-11-99)

JAN 16 2008 5390

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
CJIS DIVISION/CLARKSBURG, WV 26306

APPLICANT

TO OBTAIN CLASSIFIABLE FINGERPRINTS

1. USE BLACK PRINTER'S INK.
2. DISTRIBUTE INK EVENLY ON INKING SLAB.
3. WASH AND DRY FINGERS THOROUGHLY.
4. ROLL FINGERS FROM NAIL TO NAIL, AND AVOID ALLOWING FINGERS TO SLIP.
5. BE SURE IMPRESSIONS ARE RECORDED IN CORRECT ORDER.
6. NOTE IN THE APPROPRIATE FINGER BLOCKS IF APPLICANT IS MISSING ONE OR MORE FINGERS FOR ANY REASON IF NOT MISSING. ALL TEN IMPRESSIONS MUST BE PROVIDED WITH SCARS AND DEFORMITIES NOTATED.
7. IF SOME PHYSICAL CONDITION MAKES IT IMPOSSIBLE TO OBTAIN PERFECT IMPRESSIONS, SUBMIT THE BEST THAT CAN BE OBTAINED.
8. EXAMINE THE COMPLETED PRINTS TO SEE IF THEY CAN BE CLASSIFIED, BEARING IN MIND THAT MOST FINGERPRINTS FALL INTO THE PATTERNS SHOWN ON THIS CARD (OTHER PATTERNS OCCUR INFREQUENTLY AND ARE NOT SHOWN HERE).

THIS CARD FOR USE BY:

1. LAW ENFORCEMENT AGENCIES IN FINGERPRINTING APPLICANTS FOR LAW ENFORCEMENT POSITIONS.
2. OFFICIALS OF STATE AND LOCAL GOVERNMENTS FOR PURPOSES OF EMPLOYMENT, LICENSING, AND PERMITS, AS AUTHORIZED BY STATE STATUTES AND APPROVED BY THE ATTORNEY GENERAL OF THE UNITED STATES. LOCAL AND COUNTY ORDINANCES, UNLESS SPECIFICALLY BASED ON APPLICABLE STATE STATUTES DO NOT SATISFY THIS REQUIREMENT.
3. U.S. GOVERNMENT AGENCIES AND OTHER ENTITIES REQUIRED BY FEDERAL LAW.
4. OFFICIALS OF FEDERALLY CHARTERED OR INSURED BANKING INSTITUTIONS TO PROMOTE OR MAINTAIN THE SECURITY OF THOSE INSTITUTIONS.

INSTRUCTIONS:

1. PRINTS MUST FIRST BE CHECKED THROUGH THE APPROPRIATE STATE IDENTIFICATION BUREAU, AND ONLY THOSE FINGERPRINTS FOR WHICH NO DISQUALIFYING RECORD HAS BEEN FOUND LOCALLY SHOULD BE SUBMITTED FOR FBI SEARCH.
2. PRIVACY ACT OF 1974 (PL 93-579) REQUIRES THAT FEDERAL, STATE, OR LOCAL AGENCIES INFORM INDIVIDUALS WHOSE SOCIAL SECURITY NUMBER IS REQUESTED WHETHER SUCH DISCLOSURE IS MANDATORY OR VOLUNTARY, BASIS OF AUTHORITY FOR SUCH SOLICITATION AND USES WHICH WILL BE MADE OF IT.
3. IDENTITY OF PRIVATE CONTRACTORS SHOULD BE SHOWN IN SPACE (EMPLOYER AND ADDRESS). THE CONTRIBUTOR IS THE NAME OF THE AGENCY SUBMITTING THE FINGERPRINT CARD TO THE FBI.
4. FBI NUMBER, IF KNOWN, SHOULD ALWAYS BE FURNISHED IN THE APPROPRIATE SPACE.
5. MISCELLANEOUS NO. - RECORD OTHER ARMED FORCES NO. PASSPORT NO. (FPI), ALIEN REGISTRATION NO. (ARI), PORT SECURITY CARD NO. (PS), SELECTIVE SERVICE NO. (SSI), VETERANS ADMINISTRATION CLAIM NO. (VAI)

LEAVE THIS SPACE BLANK

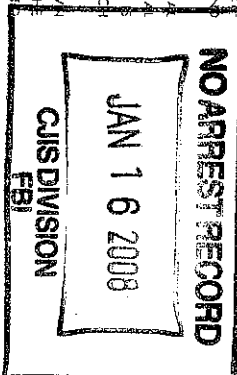


Exhibit 9



U.S. Citizenship
and Immigration
Services

February 5, 2008

NRC2008006832

Jennifer L. Brill
Minami Tamaki & Associates
360 Post Street
San Francisco, CA 94108

Dear Jennifer L. Brill:

We received your request for information relating to Teymour Hossein Ali Farman Farmaian on February 5, 2008.

Your request is being handled under the provisions of the Freedom of Information Act (5 U.S.C. § 552). It has been assigned the following control number: NRC2008006832. Please cite this number in any further inquiry about this request.

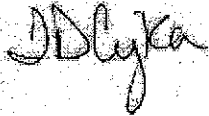
In accordance with Department of Homeland Security Regulations (6 C.F.R. § 5.3(c)), your request is deemed to constitute an agreement to pay any fees that may be chargeable up to \$25.00. Fees may be charged for searching for records sought at the respective clerical, professional, and/or managerial rates of \$4.00/\$7.00/\$10.25 per quarter hour, and for duplication of copies at the rate of \$.10 per copy. The first 100 copies and two hours of search time are not charged, and the remaining combined charges for search and duplication must exceed \$14.00 before we will charge you any fees. Most requests do not require any fees; however, if fees in excess of \$25.00 are required, we will notify you beforehand.

Additionally, we respond to requests on a first-in, first-out basis and on a multi-track system. This is to inform you that your request has been placed in the complex track. Since your request is on the complex track, you may wish to modify it to identify a specific document(s), the exact information sought, and location if known. Upon receipt, we will reconsider your request for eligibility for the faster track.

This office is now able to offer you the option of having your records copied to a Compact Disc (CD) for use on your personal computer. This option is an alternative to paper copies. The CD is readable on all computers through the use of Adobe Acrobat software. A version of Adobe Acrobat will be included on the CD. Your records can be viewed on your computer screen and can be printed onto paper. Only records 15 pages or more are eligible for CD printing. Attorneys automatically receive CDs, unless they contact us to request paper copies. Once an attorney has requested paper copies, all future responsive records will be provided via paper – there is no need to call again. For individuals (i.e., non-attorneys) please call our office at 816-350-5570 to order your record on CD. Once you request your records on either CD or paper, all future records will be furnished in the format you have requested.

If you have any questions concerning your pending FOIA/PA request, please address them to this office, Attention: FOIA/PA Officer, or call us at 816-350-5570, or fax any FOIA/PA related correspondence to 816-350-5785. If you have questions concerning the status of a pending Application or Petition or any other type of immigration matter, you must contact your local District Office or call the National Customer Service Unit at 1-800-375-5283. The National Records Center cannot assist you concerning any pending Applications or Petitions or any other type of immigration matter. You may also check the status of your FOIA request by e-mailing USCIS.FOIA@DHS.GOV.

Sincerely,

A handwritten signature in dark ink, appearing to read "T. Cejka", with a stylized flourish at the end.

T. Diane Cejka
Director

Exhibit 10

MINAMI TAMAKI LLP
Attorneys at Law

Jennifer L. Brill
Associate

Phone: 415-788-9000

Email: jbrill@MinamiTamaki.com

REC'D CSC 08 FEB 12
AT 8:00 AM

February 11, 2008

Rosemary Melville, District Director
USCIS
630 Sansome Street
San Francisco, CA 94111

Re: Mr. Teymour Hossein Ali Farman-Farmaian (A#079-719-492)
Naturalization Application Receipt No: WSC-001676054

Dear Ms. Melville:

This law firm represents Mr. Teymour Farman-Farmaian in his immigration matters. A G-28, notice of representation is already on file, and we are attaching another one for your records here.

We are writing regarding the status of the above referenced case. Mr. Teymour Farman-Farmaian applied for naturalization on January 17, 2007. To date, he has not been scheduled for an interview, despite numerous inquiries into this matter. We have been informed by the USCIS that his case is pending due to security checks. However, his case has now been pending for more than a year now, and there is no known reason why his case should be pending this long. He would like his case adjudicated so that he may have access to jobs and ease of travel which come with the approval of naturalization. Finally, he would like the peace of mind of knowing whether or not his application will be approved.

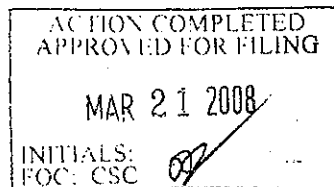
We would appreciate it if you would review this case and let us know when a decision may be reached. If Mr. Teymour Farman-Farmaian's case is not set for an interview or adjudicated within 30 days, we will be filing a Mandamus in federal court.

Thank you for your attention to this matter.

Sincerely,

Minami Tamaki LLP

Jennifer Brill
Jennifer L. Brill,
Attorney At Law



San Francisco Office 360 Post Street 8th Floor San Francisco CA 94108 Phone: 415.788.9000 Fax: 415.398.3887
Sunnyvale Office 333 W El Camino Real Suite 350 Sunnyvale CA 94087 Phone: 408.739.1137 Fax: 408.739.4641

www.MinamiTamaki.com

U.S. Department of Homeland Security
P.O. Box 30111
Laguna Niguel, CA 92607-0111



U.S. Citizenship
and Immigration
Services

Date: March 21, 2008

FARMAN -FARMAIAN TEYMOUR
6, BOLTON PL
MENLO PARK, CA 94025

Re: A 79 719 492 – Naturalization Status Inquiry

Dear Applicant:

In your inquiry with USCIS, you requested the status of your pending N-400 Application for Naturalization. We have not scheduled you for an interview because your background investigation is still pending. Until the background investigation is completed, we cannot move forward on your case. These background checks are required to be completed on all applicants who apply for the immigration benefit you are seeking. Once your background check is completed your local District Office will be scheduling your case for interview. There is no way for us to estimate the duration of your background investigation because it is not conducted by our agency. Although the average processing time for the investigations is a few months, the range in duration is a few weeks to several years. No further action is necessary at this time.

Thank you very much for your cooperation.

Please call the National Customer Service Center toll free number at 1- (800) 375-5283 or visit our website at: <http://www.USCIS.GOV> for additional information. Thank you.

California Service Center
N-400 Team

Exhibit 11

[Print This Page](#)[Back](#)

U.S. Citizenship and Immigration Services

San Francisco CA Processing Dates

Posted February 15, 2008

The processing times shown below are a tool for our customers to gauge our current processing times. When applications and petitions are completed within our target timeframes, that goal will be shown in the data display.

The processing times shown below are for applications that have just been completed. If you have just filed your application, these timeframes may not reflect how long your application will take to be completed. We encourage you to check this page periodically before inquiring about your case. The processing times are updated monthly.

USCIS has received a significant increase in the number of applications filed. In July and August, nearly 2.5 million applications and petitions of all types were received. This compares to 1.2 million applications and petitions received in the same time period last year. This fiscal year, we received 1.4 million applications for naturalization; nearly double the volume we received the year before. The agency is working to improve processes and focus increased resources, including hiring approximately 1,500 new employees, to address this workload.

As a result, average processing times for certain application types may be longer. In particular, naturalization applications filed after June 1, 2007 may take approximately 14-16 months to process.

We offer a variety of services after you file. For example, for most kinds of cases you can [check the status of your case online](#).

For more information about when and how to contact us, whether your case is outside our processing time or if there are other issues, please see our customer guide –

[Case Services - How do I... know what kind of services are available to me after I file my application or petition?](#)

District Office Processing Dates for **San Francisco CA** Posted February 15, 2008

Form	Form Name	Processing Timeframe:
I-131	Application for Travel Documents	November 17, 2007
I-485	Application to Register Permanent Residence or Adjust Status	August 19, 2007
I-600	Petition to Classify Orphan as an Immediate Relative	November 17, 2007
I-600A	Application for Advance Processing of Orphan Petition	November 17, 2007
I-765	Application for Employment Authorization	November 30, 2007
N-400	Application for Naturalization	July 20, 2007
N-600	Application for Certification of Citizenship	September 03, 2007

03-19-2008 07:52 PM EDT

[Home](#) [Contact Us](#) [Privacy Policy](#) [Website Policies](#) [NoFEAR](#) [Freedom Of Information Act](#) [FirstGov](#)

[U.S. Department of Homeland Security](#)